

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re)
) Chapter 9
)
CITY OF DETROIT, MICHIGAN,) Case No. 13-53846
)
Debtor.) Hon. Steven W. Rhodes
)

**STATEMENT OF OBJECTORS REGARDING PROPOSED
CHANGES TO SCHEDULE IN LIGHT OF CITY'S DELAYS
IN DOCUMENT PRODUCTION**

1. In light of the *City's Statement Regarding Document Production* (Docket No. 5156), filed on May 30, 2014, in which Debtor City of Detroit, Michigan (the "City") reported to the Court that "based on the best information available, the City believes that it will complete [its] Document Production on or before Friday, June 20, 2014" — more than six weeks after the May 6, 2014 date originally specified for such completion in the *Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment* (Docket No. 4202) ("Fourth Amended Order") — the Objector Members of the Discovery and Trial Efficiency Committee ("DTEC") conferred regarding how the schedule in the case needs to be adjusted to take this significant development into account. As a result of these efforts, the Objector Members of the DTEC have prepared a proposed adjusted schedule that they respectfully

request the Court to adopt, a copy of which is attached hereto as Exhibit A, and which was provided to the City yesterday evening.

2. For the convenience of the Court, attached hereto as Exhibits B and C are comparisons showing how the schedule being proposed herein differs from those in (i) the current Fourth Amended Order, and (ii) the previously-proposed version of a Fifth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment that was attached to the *Statement of Objectors in Anticipation of the May 22, 2014 Status Conference* (Docket No. 4980).

3. One point from the schedule currently in effect that requires very prompt attention is the impending deadline in the Fourth Amended Order that on June 10, 2014 all parties file their lists of expert witnesses. The current schedule, which called for document production to have been completed weeks earlier on May 6, 2014, is untenable and unreasonable in the current environment where the City now projects that its document production will not be complete until June 20, 2014 — 10 days after this June 10, 2014 filing deadline and only 7 days before the current fact deposition cutoff. For example, the parties just days ago received from the City additional installments containing critical documents — such as substantial documents from City consultants and advisors like Ernst & Young, Milliman and Conway MacKenzie, as well as substantial documents regarding the

factual circumstances underlying the City's bankruptcy. Further productions of documents from the City are expected in the days to come, the contents of which will continue to influence the parties' decisions on how to proceed in regard to the confirmation hearing. Since these recently produced documents fall heavily into a number of potential expert areas and relate to fact witnesses who will be deposed, it makes little sense to require expert disclosures and fact depositions before the parties can fully evaluate their positions, and the expert testimony needed, based on the full documentary record. The Objector Members of the DTEC therefore respectfully request that the revised proposed Fifth Amended Scheduling Order be entered and that the June 10, 2014 deadline for filing lists of expert witnesses be held in abeyance pending the Court's decision on changes to the current case schedule.

Dated: June 4, 2014

Respectfully submitted,

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